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U.S. Bureau of Land Management
and Jill C. Silvey

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

BATTLE MOUNTAIN BAND of the TE-MOAK TRIBE of WESTERN SHOSHONE INDIANS, Plaintiff, v. UNITED STATES BUREAU OF LAND MANAGEMENT and JILL C. SILVEY, in her official capacity as Bureau of Land Management Elko District Manager, Defendants.	3:16-cv-00268-LRH-WGC **DECLARATION OF JILL C. SILVEY, BLM, ELKO DISTRICT MANAGER**

I, Jill Silvey, do declare as follows:

I have personal knowledge of the matters set forth herein and if called to testify I could and would testify competently thereto:

1. I earned a Bachelor of Science in Wildlife Management and a Bachelor of Science in Fisheries Management from New Mexico State University in 1988. I subsequently earned a Master's of Public Administration from Boise State University in December 2006.

2. I am currently the District Manager for the Bureau of Land Management (BLM) a position I have held since February 2013. Prior to this position I was the Field Manager of the Salt Lake Field Office for 2.5 years and previous to that I was an Assistant Field Manger in the Vale District, Jordan field Office for three years.

3. I began my federal career working for the Washington Office, stationed in Boise, Idaho as a senior fisheries policy analyst. While still working for the Washington Office I took another position as BLM's liaison to the National Fish and Wildlife Foundation and Program Lead for the Challenge Cost Share Program.

4. Prior to my federal career I worked for the New Mexico Department of Game and Fish as a Game Warden for three years and as the Assistant Chief of Fisheries for another three years.

5. I have knowledge of the Hollister Mine Expansion project (Hollister) and the request from the Battle Mountain Band (Band) [redacted] I have knowledge of chain of events that lead to the ultimate designation of [redacted]

6. After the Final Environmental Impact Statement for Hollister was released, the Band provided comments to the BLM on August 5, 2013. Those were the only written comments that the BLM received during the NEPA process for Hollister.

7. The Record of Decision for Hollister was signed on March 31, 2014.

8. On August 31, 2014, members of the Band informed Dr. Richard Adkins, the Tosawihi project manager, [redacted]

[redacted]

9. In early September 2014, [redacted]

10. On September 17, 2014, the BLM held a meeting with the Band. BLM Nevada State Director Amy Lueders led the meeting. The Band specifically requested assistance in developing TCP nominations and they requested BLM to consider [redacted]

11. In the fall of 2014, Dr. Richard Adkins continued to meet with the Band and further develop his understanding of [redacted]

12. On January 16, 2015, I met with then-Chairman Holly of the Band. With regard to [redacted]

13. On January 30, 2015, I met with then-Chairman Holly of the Band during that meeting the designations of additional TCPs was discussed. We told the band that we heard them and agree with them and we are talking internally about how to accomplish that task. We conveyed that we were discussing both process and workload management associated with such an undertaking.

14. On February 13, 2015, the BLM met with the Band. [redacted]

15. During the spring and summer of 2015, Dr. Adkins continued to work with Battle Mountain Band to gather information about [redacted]

[redacted]

16. On June 26, 2015, we met with the Battle Mountain Band. The Band told us that [redacted]

17. On August 26, 2015, I had a meeting with the Band. Chairman Holly talked about [redacted] that more features would be damaged and they would lose the area entirely. I then directed my staff to develop a plan for designating new TCPs. Later in the same meeting Chairman Holly said he wanted to be fully involved in developing [redacted]

18. On September 18, 2015, we toured the Hollister area with BLM staff and the Band. [redacted]

19. On October 7, 2015, the BLM had a meeting with the Band. In this meeting we discussed [redacted] Shortly after this meeting Chairman Holly lost the election for tribal chair, then the weather turned bad and this tour was never conducted.

20. On October 13, 2015, the Band sent a letter to the Advisory Council on Historic Preservation (ACHP) under the dispute resolution clause of the Programmatic Agreement and one of the complaints was the failure by the BLM to designate TCPs.

21. On December 22, 2015 the ACHP determined that the BLM had not foreclosed ACHP's opportunity to comment on the undertaking and was taking sufficient steps to implement the terms of the PA that governs the application of the Section 106 review process for Hollister. That letter also suggested that the BLM work to process new information from the

Band and designate any new TCPs as appropriate. Subsequently, I directed Richard Adkins to prepare the existing documentation and to gather any additional information required to develop the site form for submission to the Nevada State Historic Preservation Officer (SHPO).

22. On April 18, 2016, I signed a letter outlining [redacted] which was hand-delivered to SHPO on April 22.

23. On April 25, 2016, SHPO concurred with [redacted]

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 31st day of May, 2016, in Elko, Nevada.

s/ Jill C. Silvey

Jill C. Silvey